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AUG 12 2011

U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES
~~BEFORE THE COMMISSIONER OF PATENTS AND TRADEMARKS~~

In re NIGHTINGALE)
Application No. 10/764,495)
Filed: January 27, 2004)
Appeal No. 2010-002116

)

ORDER GRANTING REQUEST TO RESCHEDULE ORAL HEARING

An oral hearing before a merits panel of the Board of Patent Appeals and Interferences had been set for Thursday, September 8, 2011. The notice setting the hearing was mailed to Applicants on August 1, 2011. The date Applicants received the notice is not apparent from the record. On August 5, 2011, a facsimile letter styled "Request to Reschedule Oral Hearing" was filed, Applicants requested that the oral hearing be rescheduled. The request has been granted.

According to counsel:

Appellant's undersigned representative will be away on previously scheduled travel on September 8, 2011.

For the reasons given above, it is:

Ordered that the request to reschedule the oral hearing is granted. No further request for postponement will be permitted. Any further request for postponement will be treated as a waiver of the Request for Oral Hearing.

Application No. 10/764,495
Appeal No. 2010-002116

BOARD OF PATENT APPEALS
AND INTERFERENCES

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